

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WEST VIRGINIA UNIVERSITY HOSPITALS, INC.,
UNITED HOSPITAL CENTER, INC.,
WEST VIRGINIA UNIVERSITY HOSPITALS-EAST, INC.,
CITY HOSPITAL FOUNDATION, INC. and
WEST VIRGINIA UNITED HEALTH SYSTEM, INC.,

Plaintiffs,

v.

Civil Action No. 1:10CV97
(STAMP)

UBS FINANCIAL SERVICES, INC.
and UBS SECURITIES, LLC,

Defendants.

ORDER APPROVING CONSENT STIPULATION

On January 22, 2011, plaintiff West Virginia University Hospitals, Inc. filed a "Consent Stipulation" in the above-styled civil action. In the Consent Stipulation, the parties stipulate and agree that this civil action shall remain stayed until either a final ruling by the arbitrators in the related Financial Industry Regulatory Authority arbitration or a final ruling in the Second Circuit appeal filed by the defendants in a related civil action arising in the Southern District of New York. On January 24, 2011, the parties appeared by counsel for a telephonic status and scheduling conference. At that conference, all parties stated that the Consent Stipulation was acceptable.

For good cause shown, this Court APPROVES the parties' Consent Stipulation. Accordingly, this Court STAYS this civil action until either a final ruling by the arbitrators in the Financial Industry Regulatory Authority arbitration or a final ruling in the Second

Circuit appeal. This stay is without prejudice to either party's right to appeal any decision, or to UBS' right to contest the jurisdiction or venue of this action. Furthermore, all parties have reserved the right to apply to this Court for an order lifting the stay at an earlier date upon a showing of good cause. Finally, the parties are DIRECTED to keep this Court advised of any matters affecting the stay.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: January 24, 2011

/s/ Frederick P. Stamp, Jr.

FREDERICK P. STAMP, JR.

UNITED STATES DISTRICT JUDGE